

3622

PTO/SB/21 (09-04)  
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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|   |                        |                  |
|---|------------------------|------------------|
| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number     | 09/887,746       |
|   | Filing Date            | June 21, 2001    |
|   | First Named Inventor   | Takashi KUNII    |
|   | Art Unit               | Not Yet Assigned |
|   | Examiner Name          | Not Yet Assigned |
| Total Number of Pages in This Submission  | Attorney Docket Number | 393032026400     |

| ENCLOSURES (Check all that apply)  |   |  |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>copies of seven JP patent publications<br>copy of JP office action (includes English translation) |
| Remarks  |   |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |          |        |
|--|--|----------|--------|
| Firm Name                                  | MORRISON & FOERSTER LLP (Customer No. 25224) |          |        |
| Signature                                  |  |          |        |
| Printed name                               | David L. Fehrman                             |          |        |
| Date                                       | November 29, 2005                            | Reg. No. | 28,600 |

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 29, 2005

Signature: (Beverly S. Carter)

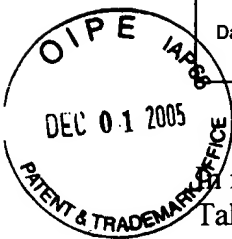
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 29, 2005 Signature: 

(Beverly S. Carter)

Patent

Docket No. 393032026400



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application of:  
Takashi KUNII

Serial No.: 09/887,746

Filing Date: June 21, 2001

For: APPARATUS AND METHOD FOR  
TRANSMITTING AND/OR RECEIVING  
INFORMATION VIA  
COMMUNICATION NETWORK

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

### INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

The documents listed on the attached Form PTO/SB/08a/b were cited in a Japanese office action mailed on November 1, 2005 (English and Japanese copies enclosed), directed to a counterpart foreign application and have not been previously cited. A certification under 37 C.F.R. § 1.97(e)(1) follows:

**I hereby certify that each item of information was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.**

This Information Disclosure Statement is submitted:

- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.


Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Director to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **393032026400**.

Dated: November 29, 2005

Respectfully submitted,

By 

David L. Fehrman

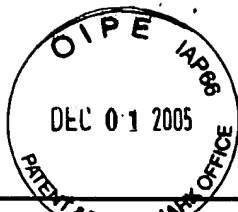
Registration No.: 28,600

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ALTERNATIVE TO PTO/SB/08a/b (07-05)

|  |   |    |   |                          |                  |
|--|---|----|---|--------------------------|------------------|
| <b>Substitute for form 1449/PTO</b><br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(Use as many sheets as necessary) |   |    |   | <b>Complete if Known</b> |                  |
|  |   |    |   | Application Number       | 09/887,746       |
|  |   |    |   | Filing Date              | June 21, 2001    |
|  |   |    |   | First Named Inventor     | Takashi KUNII    |
|  |   |    |   | Art Unit                 | Not Yet Assigned |
|  |   |    |   | Examiner Name            | Not Yet Assigned |
| Sheet  | 1 | of | 1 | Attorney Docket Number   | 393032026400     |

| U.S. PATENT DOCUMENTS |                          |  |                                |  |   |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                       |                          | Number-Kind Code <sup>2</sup> (if known) |                                |  |   |
|                       |                          |  |                                |  |   |

| FOREIGN PATENT DOCUMENTS |                          |   |                                   |  |   |                |
|--------------------------|--------------------------|---|-----------------------------------|--|---|----------------|
| Examiner<br>Initials*    | Cite<br>No. <sup>1</sup> | Foreign Patent Document   | Publication<br>Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear | T <sup>3</sup> |
|                          |                          | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known) |                                   |  |   |                |
|                          | 1.                       | JP-2000-39837   | 02-08-2000                        | Yamaha Corporation                                 | with English<br>abstract  |                |
|                          | 2.                       | JP-2000-56721   | 02-25-2000                        | NRI & NCC Co. Ltd.                                 | with English<br>abstract  |                |
|                          | 3.                       | JP-11-272574  | 10-08-1999                        | Seiko Epson Corp                                   | with English<br>abstract  |                |
|                          | 4.                       | JP-11-65434   | 03-05-1999                        | Hitachi Ltd.; Zanavy<br>Informatics                | with English<br>abstract  |                |
|                          | 5.                       | JP-11-232292  | 08-27-1999                        | Kawasaki Steel Corp et al                          | with English<br>abstract  |                |
|                          | 6.                       | JP-10-133881  | 05-22-1998                        | Fujitsu Ltd.                                       | with English<br>abstract  |                |
|                          | 7.                       | JP-10-254762  | 09-25-1998                        | NEC Corp   | with English<br>abstract  |                |

\*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS |                          |   |                |
|---------------------------------|--------------------------|---|----------------|
| Examiner<br>Initials*           | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|                                 |                          |   |                |
|                                 |                          |   |                |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

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